

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JOANNA ESPINAL and RAMONA DE LEON,

Plaintiffs,

-against-

JETBLUE AIRWAYS CORPORATION, 27-01  
QUEENS PLAZA LONG ISLAND CITY, NY  
11191

Defendant.

Docket No.: 21 cv 3404

**NOTICE OF REMOVAL**

**TO THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK:**

Defendant, JetBlue Airways Corporation (hereafter “JetBlue”), for the removal of this action from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York, respectfully shows this Honorable Court:

**FIRST:** JetBlue Airways Corporation is the defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Queens; entitled:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

JOANNA ESPINAL and RAMONA DE LEON,

Plaintiffs,

-against-

JETBLUE AIRWAYS CORPORATION, 27-01  
QUEENS PLAZA LONG ISLAND CITY, NY  
11191

Defendant.

Index No. 707325/2021

**SECOND:** A copy of the Verified Complaint in this action is annexed hereto as Exhibit “A”. Copies of the Summons with Notice and Notice of Appearance with Demand for a Verified Complaint are attached here as Exhibit “B”. An Amended Summons with Notice is attached here as Exhibit “C”. The aforementioned exhibits constitute all of the pleadings and orders served upon any party in this action.

**THIRD:** According to the Verified Complaint, Plaintiffs were passengers on JetBlue flight No. 2536 originating from Santiago, Dominican Republic. JetBlue Flight No. 2536 flies from the Dominican Republic to John F. Kennedy International Airport in New York.

**FOURTH:** Both the United States and the Dominican Republic are signatories to the Montreal Convention, an international treaty that is controlling with regard to claims arising from international air transportation between signatory countries. The incident that has been alleged by Plaintiffs took place during the boarding process of an international flight between two countries that are signatories to the Montreal Convention, therefore the Convention is controlling with regard to Plaintiffs’ claims in this matter.


**FIFTH:** This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1331, and is one which may be removed to this Court by JetBlue, pursuant to the provisions of Title 28 United States Code, Section 1441, in that, it is a civil action involving a federal question arising under a treaty of the United States. Pursuant to 28 U.S.C. §1331, the U.S. District Courts have original jurisdiction of all civil actions arising under the Constitution, laws or treaties of the United States.

**SIXTH:** Plaintiffs served the Verified Complaint on JetBlue on May 21, 2021 through the New York Courts Electronic Filing System (NYSCEF), therefore this Notice of Removal is timely, having been filed within 30 days of receipt of the Verified Complaint.

**WHEREFORE**, the defendant, JetBlue, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Queens, be removed from there to this Court.

Dated: New York, New York  
June 16, 2021

**CONNELL FOLEY LLP**

By:   
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**MICHAEL BOJBASA**  
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**TO:** Nestor Rosado, Esq.  
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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**Docket No.: 21 cv 3404**

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